



COUNTY OF YOLO

Office of the County Administrator

Patrick S. Blacklock
County Administrator

625 Court Street, Room 202 Woodland, CA 95695
(530) 666-8150 FAX (530) 668-4029
www.yolocounty.org

August 23, 2010

Delta Stewardship Council
c/o P. Joseph Grindstaff, Interim Executive Director
650 Capitol Mall, Fifth Floor
Sacramento, CA 95814

Dear Council Members and Mr. Grindstaff:

The County of Yolo ("County") submits this letter to comment on the proposed "Final Draft Interim Plan" (the "Final Draft"). As discussed below, Council staff members have made some progress in addressing concerns raised by the County in its earlier comment letters and testimony. The following issues, however, are not fully resolved by the Final Draft and are therefore of continuing concern to the County.

As a general matter, the roles and responsibilities of the Council and its staff—as well as local agencies and their staff—remains unclear in the Final Draft. The Interim Plan should precisely describe these responsibilities, as well as responsibilities of local agencies with regard to early consultation and other interactions with the Council. It should also clearly define opportunities that may be available to local governments, such as the means of seeking Council support for state funding for projects of local or regional importance. The Final Draft, however, is not sufficiently detailed enough to serve as a proper "roadmap" for local government on these matters. It also has the potential, depending on interpretation, to place a significant and unnecessary burden on local government.

For example, the County understands that early consultation is a voluntary process that may vary in scope from project to project to suit the needs of the participating local agency. Portions of the Final Draft (e.g., p. 31), however, indicate the potential for Council "recommendations" in the context of this process. Ms. Macaulay has advised County staff that such recommendations will not customarily be part of the early consultation process except in connection with the "early actions" covered by the Final Draft, or if a local agency seeks such recommendations from the Council on other projects. These are valuable clarifications and they should be incorporated into the Final Draft.

In addition, the County understands that the detailed procedures set forth in Appendix A-2 apply only to "early actions" and other projects that are brought by state and local agencies to the Council for some form of action prior to adoption of the Delta Plan. As Ms. Macaulay has advised us, those procedures do not apply to all potentially "covered actions" that may be the

subject of early consultation. This is a basic point that could easily be clarified in the Final Draft to avoid misunderstandings during implementation of the Interim Plan.

These are only two examples of how the Final Draft could be revised to address the County's fundamental concern about the need for clarification of roles and responsibilities. This is an important issue will influence the success of the Interim Plan and the Council's relationship with the many state and local agencies undertaking actions in the Delta. With additional time, the County and other local agencies could assist in developing the clarifying language necessary to comprehensively address this concern prior to adoption of the Interim Plan.

As a final matter, the Interim Plan identifies a wide range of plans, projects, and programs that are anticipated for future consideration by the Council. At least some of these—including the proposed creation of floodplain habitat in the Yolo Bypass—will uniquely affect the interests of the County and its citizens. We look forward to having an active and meaningful role in the Council's discussion of such plans, projects, and programs at the appropriate point in time. The same is true for other issues which affect the Delta as a region, such as the development of means to finance the Council, the Delta Conservancy, the Delta Protection Commission, and various other efforts. The County strongly encourages the Council to continue its effort to facilitate broad participation in such matters by local agencies within the Delta.

In closing, the County wishes to reiterate its appreciation for the opportunity to participate in the development of the Interim Plan. The Council and its staff have been responsive to many of the pressing concerns raised by the County and others during the process. We hope that you will postpone the Interim Plan to your September meeting to allow more of this work to continue. We also look forward to continuing this productive relationship during the preparation of the Delta Plan and in other matters.

Sincerely,

A handwritten signature in dark ink, appearing to read "Patrick Blacklock", followed by a long horizontal flourish line.

Patrick Blacklock
County Administrator, Yolo County